

PLEASE POST



The Little Traverse Bay Bands of Odawa Indians
In Council Chambers and via Zoom

**Tribal Council Regular Meeting Agenda
September 28, 2023
9:00 a.m.**

All meetings, work sessions and Citizens' meetings are recorded

Agenda subject to change and may include closed session

Public Comment 11:45 a.m. & 3:00 p.m. (approximate)

Lunch Recess may be held approximately 12:00 p.m. – 1:30 p.m.

Participation. With respect to all participants, and in accordance with Waganakising Odawak Statute 2015-014 Open Meetings of the Tribal Council, and the Tribal Council Meeting Policy and Procedures for Electronic Meetings, participants are required to provide their full name and Tribal affiliation at log in for meeting entry. Citizens use name and enrollment number, all other who are required to be in the meeting, use name and title. Without required identification, you will remain in the Zoom waiting room of this session until the entry criteria is met. If you log in under what appears to be fictitious name, you may be removed and will not be provided entry into the meeting room until such time as your log in is verifiable.

Public Comment.

Tribal Council will not accept comments nor discuss matters that relate to the following:

1. Personnel matters.
2. Personal information affecting any individual's privacy, including personnel matters, medical conditions or similar matters that constitute a clearly unwarranted invasion of personal privacy unless it pertains to the Tribal Council who is raising the matter.
3. Matters covered by attorney client privilege.
4. Matters considered confidential by other Statutes.
5. Matters regarding confidential business or legal matters of the Tribe or a Tribal Citizen.
6. Matters that could impair a criminal investigation.

(Source: WOS 2015-014, July 24, 2015, Section VI)

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Meeting ID: **881 1309 1409**

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09-28-2023 Tribal Council Meeting Agenda

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- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)

Meeting ID: 881 1309 1409

Passcode: 659698

Find your local number: <https://us02web.zoom.us/j/88113091409>

GENERAL SESSION

1. Call to Order
 2. Opening Ceremony
 3. Roll Call
 4. Review Agenda
Motion to adopt the agenda of September 28, 2023 as (presented/amended).
 5. Meeting Dedication:
Motion to dedicate this meeting in honor of the following Tribal Citizen (s) who have walked on: Ronald Boda II-ba, William "Brian" Carver-ba, Debra Clark-ba, Thomas Kiogima Jr-ba, and John Vandergriff III-ba.
 6. Review and Approve Minutes of September 14, 2023 and September 20, 2023.
Motion to approve the minutes of September 14, 2023 as (presented/corrected).

Motion to approve the Special Meeting minutes of September 20, 2023 as (presented/corrected).
 7. **9:15 a.m.** Introduction of new Employee Government Employees:
 - Kiana Wood – Medical Assistant – Health
 - Roberta Rousseau – Dental Front Office Assistant (Transfer) – Health
 - Kevin Gasco – Case Manager (Transfer) – Tribal Court
 - David Fair – I.T. Technician – I.T.
 8. **9:30 a.m.** General Counsel
Motion to acknowledge receipt of General Counsel Jim Bransky's verbal report for September 28, 2023.
 9. Executive Oversight Report:
- 09-28-2023 Tribal Council Meeting Agenda

Motion to acknowledge receipt of the verbal and written Executive Oversight Report as presented by Tribal Chairperson Regina Gasco-Bentley for September 28, 2023.

10. Legislative Leader Report.

Motion to acknowledge receipt of Legislative Leader Marcella Reyes' verbal and written report for September 28, 2023.

11. Secretary Report

a. Documents signed by the Executive:

-Waganakising Odawak Statute # 2023-006 Executive Commissions, Boards, and Committees

-Tribal Resolution # 091423-01 DTE Natural Gas Services to Second Street Indian Town Development

-Tribal Resolution # 091423-02 Support of the National Native American Supplier Council

b. Vetoes (a vote of Tribal Council to override a veto shall occur within 90-days of the veto): None

c. Phone Polls passed by Tribal Council: None

Activities:

Motion to acknowledge receipt of Secretary Emily Proctor's verbal and written report as provided on the agenda for September 28, 2023.

12. Treasurer Report

Appropriations and Finance Committee

Last Meeting: September 19, 2023

Motions made at the Appropriations and Finance Committee Meeting:

Motion made by Councilor William Ortiz and supported by Legislative Leader Marcella Reyes to recommend to Tribal Council to adopt Tribal Resolution Acceptance of Tribal Settlement Trusts for the National Prescription Opiate Multi-District Litigation Tribal Opioid Abatement Funds.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

*Motion made by Councilor William Ortiz and supported by Legislative Leader Marcella Reyes to recommend to Tribal Council to adopt Tribal Resolution Budget Modification for **FY 2023** in the amount of \$72,015.94 to create a Community Health Case Manager and a Community Health Navigator within the Health Department to come from Third Party Revenue, AOA Workforce Grant, and Community Health Funds.*

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

*Motion made by Councilor William Ortiz and supported by Legislative Leader Marcella Reyes to recommend to Tribal Council to adopt Tribal Resolution Budget Modification for **FY 2024** in the amount of \$196,600.80 to create a Community Health Case Manager and a Community Health Navigator within the Health Department to come from Third Party Revenue, AOA Workforce Grant, and Community Health Funds.*

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carries.

Motion made by Councilor William Ortiz and supported by Legislative Leader Marcella Reyes to recommend to Tribal Council to accept donations received from the Gloria Frank Fund, Wings of Wonder, and Myrna Hitchman.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent
Motion carries.

Motion made by Councilor William Ortiz and supported by Legislative Leader Marcella Reyes to recommend to Tribal Council to adopt Tribal Resolution Ziibimijwang, Inc. Requests for FY2023 Supplemental Funding Request in the Amount of \$250,000.00 to come from the General Fund-Fund Balance.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent
Motion carries.

*Motion made by Councilor William Ortiz and supported by Legislative Leader Marcella Reyes to **TABLE** Tribal Resolution Authorize a Capital Contribution to Odawa Economic Development Management, Inc. in the amount of \$161,128.69 to come from the General Fund-Fund Balance until the October 17, 2023 Appropriations and Finance Committee Meeting.*

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent
Motion carries.

Motion made by Councilor William Ortiz and supported by Legislative Leader Marcella Reyes to recommend to Tribal Council to adopt Tribal Resolution Supplemental Funding in the amount of \$120,000 for design and construction of exterior egress stairway at 911 Spring Street.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent
Motion carries.

Phone Polls passed by the Appropriations and Finance Committee: None

Next Meeting: Tuesday, October 17, 2023 at 9:00 a.m. in Council Chambers and via Zoom

Activities:

Motion to acknowledge receipt of the verbal and written report as provided on the agenda by Treasurer Leroy Shomin, Committee Chair for September 28, 2023.

13. Land and Reservation Committee Report

Last Meeting: September 1, 2023

Motions made at the Land and Reservation Committee Meeting were presented to Tribal Council at their 09/14/2023 meeting.

Phone Polls passed by the Land and Reservation Committee: None

Next Meeting: October 6, 2023 at 9:00 a.m. in Council Chambers and via Zoom

Activities:

Motion to acknowledge receipt of the Land and Reservation Committee (verbal/written) report as provided on the agenda by Secretary Emily Proctor, Committee Chair for September 28, 2023.

14. Tribal Council Member Reports:

- a. Councilor Fred Kiogima
- b. Councilor Tamara Munson
- c. Councilor William Ortiz
- d. Councilor Aaron Otto
- e. Councilor Melissa Pamp
- f. Councilor Jordan Shananaquet

Motion to acknowledge receipt of...(verbal/written) report for September 28, 2023.

15. Office of Finance and Revenue – Senior Financial Analyst

a. Office Update

b. Corporate Charters and/or Boards

- Gaming Authority – August 2023 Status Report
- Odawa Economic Affairs Holding Corporation – Charitable contribution request and an invitation to bid
- Odawa Economic Development Management, Inc. – Closed Session for Confidential Business
- Tribal Burial Board, Inc.
- Ziibimijwang, Inc. – 2022 Audit report

_____ **a.m./p.m. Motion** to enter into Closed Session for Confidential Business.

_____ **a.m./p.m. Motion** to return to Open Session.

Motion to (dependent on OEAHC discussion)

Motion to (dependent on OEDMI discussion)

Motion to acknowledge receipt of Senior Financial Analyst Rachel Cope's verbal and written report for September 28, 2023.

Motion to acknowledge receipt of the written Gaming Authority/Odawa Casino Resort August 2023 Status Report dated September 20, 2023.

Motion to acknowledge receipt of Ziibimijwang, Inc. FY 2022 Independent Audit Report as provided by Midwest Professionals, P.L.L.C. dated September 12, 2023.

16. Tribal Historic Preservation Office

Motion to acknowledge receipt of Tribal Historic Preservation Officer Melissa Wiatrolik's verbal and written report for September 28, 2023.

17. Legislative Services Attorney

Motion to acknowledge receipt of Legislative Services Attorney Zach Welcker's verbal and written report for September 28, 2023.

18. Legislative Office Director

Motion to acknowledge receipt of Legislative Office Director Michele Portman-LaCount's verbal and written report for September 28, 2023.

19. Motions

a. **Motion** to accept donations received from the Gloria Frank Funds, Wings of Wonder, and Myrna Hitchman.

b. **Motion** to approve Citizenship List A (Eligible) dated September 19, 2023 for a total of thirty-six (36).

- c. **Motion** to approve Citizenship List B (Ineligible) dated September 19, 2023 for a total of six (6).
- d. **Motion** to amend the Legislative Branch Travel Reimbursement Policy to include trip insurance coverage.
- e. **Motion** to reappoint Regina Kiogima to the Election Board for a 4-year term ending September 21, 2027.
- f. **Motion** to reappoint Fredrick Holdorph to the Natural Resources Commission for a 4-year term ending September 21, 2027.
- g. **Motion** to appoint James Pontiac to the Citizenship Commission for a 3-year term ending September 21, 2026.
- h. **Motion** to post to the web for comment the draft Repeal of Waganakising Odawak Statute 2009-011 Education Appeals Board.
- i. **Motion** to create a sub-committee for Economic Development (details dependent on discussion).

20. Roll Call

- a. **Motion** to adopt Tribal Resolution Acceptance of Tribal Settlement Trusts for the National Prescription Opiate Multi-District Litigation Tribal Opioid Abatement Funds.
- b. **Motion** to adopt Tribal Resolution Budget Modification for FY 2023 in the amount of \$72,015.94 to create a Community Health Case Manager and a Community Health Navigator within the Health Department to come from Third Party Revenue, AOA Workforce Grant, and Community Health Funds.
- c. **Motion** to adopt Tribal Resolution Budget Modification for FY 2024 in the amount of \$196,600.80 to create a Community Health Manager Case Manager and a Community Health Navigator within the Health Department to come from Third Party Revenue, AOA Workforce Grant, and Community Health Funds.
- d. **Motion** to adopt Tribal Resolution Ziibimijwang, Inc. Requests for FY 2023 Supplemental Funding in the Amount of \$250,000.00 to come from the General Fund-Fund Balance.
- e. **Motion** to adopt Tribal Resolution Supplemental Funding in the amount of \$120,000 for design and construction of exterior egress stairway at 911 Spring Street.
- f. **Motion** to pass Waganakising Odawak Statute Tribal Notary Public.
- g. **Motion** to pass Waganakising Odawak Statute Jurisdictional Adjustment Statute.
- h. **Motion** to pass Waganakising Odawak Statute Financial Disclosures of Tribal Officials.
- i. **Motion** to pass Waganakising Odawak Statute Elders Commission.
- j. **Motion** to pass Waganakising Odawak Statute Probate Code.
- k. **Motion** to pass Waganakising Odawak Statute Probate Code for Small Estates.

- l. **Motion** to pass Waganakising Odawak Statute Marriage.
- m. **Motion** to pass Waganakising Odawak Statute Dissolution of Marriage.
- n. **Motion** to pass Waganakising Odawak Statute Asset Disposition.
- o. **Motion** to pass Waganakising Odawak Statute Amendment to Waganakising Odawak Statute 2007-011 Juvenile Justice.
- p. **Motion** to pass Waganakising Odawak Statute Grandparent and Grandchild Visitation Statute.
- q. **Motion** to pass Waganakising Odawak Statute Amendment to Waganakising Odawak Statute 2022-001 Child Protection Statute.
- r. **Motion** to pass Waganakising Odawak Statute Amendment to Waganakising Odawak Statute 2021-003 Interim Criminal Code.
- s. **Motion** to pass Waganakising Odawak Statute Hotel Room Tax.

21. Other Items of Business:

- a. Closed Session for Personnel

_____ **p.m. Motion** to enter into Closed Session for Personnel.

_____ **p.m. Motion** to return to Open Session.

Motion to (dependent on discussion)

20. Adjournment

_____ **a.m./p.m. Motion** to adjourn.

Next Scheduled Meeting:
Thursday, October 12, 2023 at 9:00 a.m. in Council Chambers and via Zoom